IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

WP(C).No. 26168 of 2006(M)

PETITIONER:

ANITHA, W/O. SUKUMARAN,
SANTHOSH NIVAS, KULAMVETTIVILA,
KALLAYAM P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.M.TRIPTEN

RESPONDENTS:

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1. KERALA FINANCIAL CORPORATION,
HEAD OFFICE, THIRUVANANTHAPURAM, REPRESENTED
BY MANAGING DIRECTOR.

2. DISTRICT MANAGER, KERALA FINANCIAL
CORPORATION, THIRUVANANTHAPURAM.

BY ADV. SRI.L.MOHANAN, SC, KFC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C.NO. 26168 OF 2006

Dated this the 29th day of November, 2006

JUDGMENT

Petitioner availed loan for purchase of vehicle and committed default. Petitioner herself sold the vehicle and remitted the sale proceeds on 31.12.2005. The balance is stated to be around Rs. 8 lakhs for which collateral security is attached and sale is notified. I do not find any ground to interfere with recovery proceedings because inspite of furnishing detailed statement by the KFC petitioner has not been able to convince the Court which payment is not credited and which debit is incorrect. If the petitioner wants, she can avail the services of a chartered accountant at her cost and send to the second respondent's office for verification of accounts. If any mistake is pointed out then there will be direction to the second respondent to correct that mistake. Subject to correction of mistakes, respondents are free to proceed for recovery of balance amount. If the petitioner offers settle of liability, under OTS scheme, then I am sure the Corporation should grant it.

W.P. is closed.

(C.N.RAMACHANDRAN NAIR)
Judge